

Charles M. Lizza
William C. Baton
SAUL EWING ARNSTEIN & LEHR LLP
One Riverfront Plaza, Suite 1250
Newark, New Jersey 07102
(973) 286-6700

*Attorneys for Plaintiffs
Shire Development LLC,
Shire Pharmaceutical Development Inc.,
Cosmo Technologies Limited, and
Nogra Pharma Limited*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**SHIRE DEVELOPMENT LLC, SHIRE
PHARMACEUTICAL DEVELOPMENT
INC., COSMO TECHNOLOGIES
LIMITED, and NOGRA PHARMA
LIMITED,**

Plaintiffs,

v.

**AMNEAL PHARMACEUTICALS LLC,
AMNEAL PHARMACEUTICALS OF
NEW YORK, LLC, AMNEAL
PHARMACEUTICALS CO. (I) PVT. LTD.,
and AMNEAL LIFE SCIENCES PVT.
LTD.,**

Defendants.

Civil Action No. 15-2865 (RBK)(JS)

**STIPULATION OF
NON-INFRINGEMENT AND
ORDER OF FINAL JUDGMENT
AND DISMISSAL WITH
PREJUDICE**

(Filed Electronically)

Plaintiffs Shire Pharmaceutical Development Inc., Shire Development LLC, Cosmo Technologies Limited, and Nogra Pharma Limited (collectively, "Plaintiffs") stipulate and respectfully request entry of Final Judgment in the above-captioned Action as follows:

WHEREAS, Plaintiffs sought a judgment that Defendants Amneal Pharmaceuticals LLC, Amneal Pharmaceuticals of New York, LLC, Amneal Pharmaceuticals Co. (I) Pvt. Ltd., and

Amneal Life Sciences Pvt. Ltd.'s (collectively, "Defendants") ANDA No. 207205 discloses a product that infringes U.S. Patent No. 6,773,720 ("the '720 patent");

WHEREAS, Defendants sought a declaratory judgment that their ANDA Product does not infringe the '720 patent;

WHEREAS, Defendants sought a declaratory judgment that the '720 patent is invalid pursuant to 35 U.S.C. §§ 101, 102, 103 and/or 112; and

WHEREAS, Defendants withdrew their claims of invalidity of the '720 patent.

NOW, THEREFORE, Plaintiffs hereby request an entry of Final Judgment that:

1) Defendants' ANDA product, as currently disclosed in ANDA No. 207205 and its amendments, does not infringe the '720 patent;

2) Defendants' claims of invalidity and counterclaims for non-infringement are dismissed pursuant to Fed. R. Civ. P. 41(a)(2); and

3) Plaintiffs' claims of infringement are dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(2).

It is SO STIPULATED, this 3rd day of May, 2018.

By: William C. Baton
Charles M. Lizza
William C. Baton
SAUL EWING ARNSTEIN & LEHR LLP
One Riverfront Plaza, Suite 1520
Newark, NJ 07102-5426
(973) 286-6700
clizza@saul.com
wbaton@saul.com

Of Counsel:

Edgar H. Haug
Joseph V. Saphia
Jessica H. Zafonte

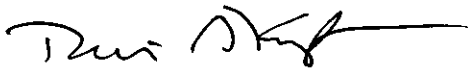
HAUG PARTNERS LLP
745 Fifth Avenue
New York, New York 10151
(212) 588-0800
ehaug@haugpartners.com
jsaphia@haugpartners.com
jzafonte@haugpartners.com

*Attorneys for Plaintiffs
Shire Development LLC,
Shire Pharmaceutical Development Inc.,
Cosmo Technologies Limited, and
Nogra Pharma Limited*

IT IS HEREBY ORDERED this 8th day of May, 2018, that:

1. FINAL JUDGMENT of Non-Infringement is entered in favor of Defendants;
2. Defendants' claims of invalidity and counterclaims for non-infringement are DISMISSED; and
3. This Action is DISMISSED With Prejudice.

Dated: May 8, 2018



Honorable Robert B. Kugler
United States District Judge